

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LAMONT GARMON

v.

**DAVID DIGUGLIELMO, Superintendent,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, and THE
ATTORNEY GENERAL OF THE STATE
OF PENNSYLVANIA**

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CIVIL ACTION

NO. 09-1844

ORDER

NOW, this 12th day of March, 2018, upon consideration of the Petition for Writ of *Habeas Corpus* Under 28 U.S.C. § 2254 (Document No. 1), the Amendments to Petition for Writ of *Habeas Corpus* (Document No. 22), Corrected Amendments to Petition for Writ of *Habeas Corpus* (Document No. 26), the Response to the Petition for Writ of *Habeas Corpus* (Document No. 35), the Report and Recommendation filed by United States Chief Magistrate Judge Linda K. Caracappa (Document No. 43), and the petitioner's objections to the Report and Recommendation (Document No. 47), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Chief Magistrate Judge Linda K. Caracappa is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of *Habeas Corpus* is **DENIED**; and,

4. There is no probable cause to issue a certificate of appealability.

/s/TIMOTHY J. SAVAGE